

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**JONES et al.,**

**Plaintiffs,**

**v.**

**VARSIY BRANDS et al.,**

**Defendants.**

**Case No. 2:20-cv-02892-SHL-cgc**

**JOINT MOTION TO EXTEND DEFENDANTS' DEADLINE TO RESPOND TO  
AMENDED COMPLAINT AND SET BRIEFING SCHEDULE**

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The undersigned Parties, through their respective counsel of record, move the Court to extend the deadlines for Defendants to respond to Plaintiffs' Amended Complaint Class Action (the "Amended Complaint") to October 27, 2023, and to extend Plaintiffs' deadline to respond to any motions to dismiss filed in response to the Amended Complaint to November 27, 2023. In support of this motion, the Parties states as follows:

1. On September 15, 2023, Plaintiffs filed their Responses in Opposition to Defendants' Motions for Summary Judgment. [ECF Nos. 477 – 485.]
2. The movant's deadline to file replies in support of their Motions for Summary Judgment is October 13, 2023. [ECF No. 371.]
3. On September 20, 2023, the Court entered its Order Granting in Part and Denying in Part Indirect Purchasers' Motion for Leave to Amend. [ECF No. 175].
4. Plaintiffs filed the Amended Complaint Class Action (the "Amended Complaint") on September 27, 2023. [ECF No. 489.]
5. The existing Defendants' deadline for responding to the Amended Complaint is October 11, 2023. Fed. R. Civ. P. 15(a)(3). Based on service dates, the new Defendants' deadline for responding to the Amended Complaint is October 20, 2023. Fed. R.. Civ. P. 12(A)(1)(a)(i). In light of the pending deadline to file replies in support of their Motions for Summary Judgment, Defendants seek additional time to evaluate and respond to the Amended Complaint.
6. The Parties request that the deadline for all Defendants to respond to the Amended Complaint be extended to October 27, 2023.
7. The Parties request further that Plaintiffs' deadline to respond to any motions to dismiss that are filed in response to the Amended Complaint be extended to November 27, 2023.

8. The requested extension of these deadlines will not impact any other deadlines in the current Scheduling Order, including the trial date.

9. All Parties consent to the relief requested in this Motion.

**WHEREFORE**, the Parties respectfully move this Court to extend the deadline for all Defendants to respond to the Amended Complaint to October 27, 2023, and to extend Plaintiffs' deadline to respond to any motions to dismiss that are filed in response to the Amended Complaint to November 27, 2023.

The undersigned hereby certifies that on October 9 – 10, 2023, pursuant to Local Rule 7.2(a)(1)(B), the Parties consulted regarding the issues raised in this motion, and all Parties consent to the relief requested.

A proposed order granting the Joint Motion to Extend Defendants' Deadline to Respond to Amended Complaint and Set Briefing Schedule is being emailed to Judge Lipman.

Dated: October 10, 2023

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